

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

Ana Isabel SANZ MOLINERO      Atty. Ref.: 4982-5; Confirmation No. 8027

Appl. No. 10/537,897      TC/A.U. 1638

Filed: June 7, 2005      Examiner: Baum

For: PLANTS HAVING MODIFIED GROWTH CHARACTERISTICS AND A METHOD  
FOR MAKING THE SAME

\* \* \* \* \*

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**DECLARATION UNDER 37 C.F.R. §1.132**

I, Caroline Hennin, hereby declare and state:

1. I am Senior Counsel Intellectual Property for the Assignee, CROPDESIGN N.V., which has been acquired by BASF and now operates as CropDesign N.V. - A BASF Plant Science Company. I am a European Patent Attorney responsible for prosecution of applications relating to International Application No. PCT/EP2003/051104, including the above-identified application.

2. I have reviewed the U.S. Patent Office Notice to File Corrected Application Papers mailed March 16, 2011 in the above-identified application. I understand that the copy of the above-identified application contained in the U.S. Patent Office Image File

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HENNIN DECLARATION UNDER 37 C.F.R. §1.132

Wrapper is a copy of the WIPO publication of PCT/EP2003/051104 (i.e., WO2004058980).

3. I have reviewed the WIPO publication of International Application No. PCT/EP2003/051104 (i.e., WO2004058980) as well as the copy of the application contained in our files as having been filed in the European Patent Office, as receiving office, on December 24, 2003.

4. The copy of page 47 of the application in our file as having been originally filed, and specifically Table 9 of page 47 of the originally-filed international application, is complete and presented in landscape layout on the page. It is believed that page 47 was published in WO2004058980 in error, in portrait layout by the International Bureau.

5. The following is a reproduction of page 47 of the application as contained in our office and as originally filed in the European Patent Office, as receiving office, on December 24, 2003:

CD-070-PC1

Table 9: examples of 2x C2H2 chimera constructs useful for the methods of the present invention. \*see Table 10

CDs	Accession number cDNA on which primers were designed to amplify the CDS region	Prod ACC number	SEQ ID NO	PROT25/PROT19/PROT26/PROT27/PROT28/PROT29/PROT30/PROT31/PROT32	PROT10/PROT11/PROT12/PROT13/PROT14
CD1	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD2	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD3	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD4	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD5	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD6	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD7	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD8	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD9	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD10	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD11	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD12	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD13	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD14	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD15	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD16	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD17	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD18	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD19	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD20	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD21	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD22	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD23	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD24	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD25	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD26	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD27	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD28	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD29	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD30	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD31	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD32	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD33	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD34	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD35	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD36	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD37	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD38	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD39	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD40	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD41	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD42	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD43	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD44	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD45	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD46	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD47	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD48	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD49	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD50	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD51	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD52	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD53	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD54	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD55	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD56	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD57	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD58	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD59	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD60	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD61	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD62	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD63	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD64	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD65	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD66	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD67	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD68	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD69	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD70	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD71	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD72	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD73	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD74	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD75	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD76	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD77	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD78	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD79	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD80	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD81	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD82	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD83	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD84	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD85	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD86	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD87	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD88	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD89	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD90	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD91	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD92	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD93	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD94	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD95	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD96	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD97	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD98	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD99	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6
CD100	U05513.6	U05513.6	1 - 2	U05513.6	U05513.6

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6. In view of the above, I believe that replacement of page 47 of WO2004058980, and the copy of the application contained in the U.S. Patent Office Image File Wrapper, with a copy of the above, originally-filed page 47 from the application filed in the European Patent Office, as receiving office, will not constitute entry of new matter.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and/or imprisonment under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing therefrom.

Signed \_\_\_\_\_

  
Caroline Hennin

Date \_\_\_\_\_

*April 14, 2011*